

1996-97-98

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

**VOTES AND PROCEEDINGS**

No. 168

MONDAY, 22 JUNE 1998

1 The House met, at 12.30 p.m., pursuant to adjournment. The Speaker (the Right Honourable Ian Sinclair) took the Chair, and read Prayers.

**2 PRIMARY INDUSTRIES, RESOURCES AND RURAL AND REGIONAL AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mrs Bailey (Chair) presented the following papers:

Primary Industries, Resources and Rural and Regional Affairs—Standing Committee—Adjusting to agricultural trade reform: Australia no longer down under—

Report, incorporating a dissenting report, 3 June 1998.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mrs Bailey and Mr Adams made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mrs Bailey moved—That the House take note of the report.

Mrs Bailey was granted leave to continue her speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**3 LEGAL AND CONSTITUTIONAL AFFAIRS—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr K. J. Andrews (Chair) presented the following papers:

Legal and Constitutional Affairs—Standing Committee—To have and to hold: Strategies to strengthen marriage and relationships—

Report, June 1998.

Evidence received by the committee.

Minutes of proceedings.

Ordered—That the report be printed.

Mr K. J. Andrews and Mr McClelland made statements in connection with the report.

The time allotted for making statements on the report having expired—

Mr K. J. Andrews moved—That the House take note of the report.

Mr K. J. Andrews was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**4 AUSTRALIAN PARLIAMENTARY DELEGATION—REPORT—STATEMENTS BY MEMBERS**

Mr Jull presented the following paper:

Australian Parliamentary Delegation to the European Institutions, 20 to 30 April 1998—Report, June 1998.

Mr Jull and Mr Hicks made statements in connection with the report.

**5 FINANCIAL INSTITUTIONS AND PUBLIC ADMINISTRATION—STANDING COMMITTEE—REPORT—STATEMENTS BY MEMBERS—MOTION TO TAKE NOTE OF PAPER**

Mr Hawker (Chair) presented the following papers:

Financial Institutions and Public Administration—Standing Committee—Review of the Reserve Bank of Australia annual report 1996-97—

Report, incorporating a dissenting report, 4 June 1998.

Minutes of proceedings.

Ordered—That the report be printed.

Mr Hawker and Mr Latham made statements in connection with the report.

Mr Hawker moved—That the House take note of the report.

Mr Hawker was granted leave to continue his speech when the debate is resumed.

In accordance with standing order 102B, the debate was adjourned, and the resumption of the debate made an order of the day for the next sitting.

**6 SUPERANNUATION (ENTITLEMENTS OF SAME SEX COUPLES) BILL 1998**

Mr Albanese, pursuant to notice, presented a Bill for an Act to remove discrimination against same sex couples in respect of superannuation benefits.

Mr Albanese made a statement in relation to the Bill.

*Paper*

Mr Albanese, by leave, presented an explanatory memorandum to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

**7 TAXATION ADMINISTRATION AMENDMENT (PUBLIC RULINGS) BILL 1998**

Mr Rocher, pursuant to notice, presented a Bill for an Act to amend the *Taxation Administration Act 1953* in relation to public rulings of the Commissioner of Taxation.

Mr Rocher made a statement in relation to the Bill.

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting, in accordance with standing order 104A.

**8 SCIENCE AND TECHNOLOGY—PROPOSED JOINT STANDING COMMITTEE**

Mr M. J. Evans, pursuant to notice, moved—

- (1) That a Joint Standing Committee on Science and Technology be appointed to inquire into and report on such matters relating to science and technology as may be referred to it by either House of the Parliament or a Minister.
- (2) That the committee consist of 14 members, 4 Members of the House of Representatives to be nominated by the Government Whip or Whips, 3 Members of the House of Representatives to be nominated by the Opposition Whip or Whips or by any independent Member, 3 Senators to be nominated by the Leader of the Government in the Senate, 2 Senators to be nominated by the Leader of the Opposition in the Senate and 2 Senators to be nominated by any minority group or groups or independent Senator or independent Senators.
- (3) That every nomination of a member of the committee be forthwith notified in writing to the President of the Senate and the Speaker of the House of Representatives.
- (4) That the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time.
- (5) That the committee elect a Government member as its chair.
- (6) That the committee elect a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.
- (7) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, shall have a casting vote.
- (8) That 3 members of the committee constitute a quorum of the committee.

- (9) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.
- (10) That the committee appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.
- (11) That the quorum of a subcommittee be 2 members of that subcommittee.
- (12) That members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.
- (13) That the committee or any subcommittee have power to send for persons, papers and records.
- (14) That the committee or any subcommittee have power to move from place to place.
- (15) That a subcommittee have power to adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives.
- (16) That the committee have leave to report from time to time.
- (17) That the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.
- (18) That a message be sent to the Senate acquainting it of this resolution and requesting that it concur and take action accordingly.

Debate ensued.

Debate adjourned, and the resumption of the debate made an order of the day for the next sitting.

#### **9 MEMBERS' STATEMENTS**

Members' statements were made.

#### **10 DEATHS OF FORMER MEMBER (MR G. W. A. DUTHIE) AND FORMER SENATOR (MR D. N. CAMERON)**

The Speaker informed the House of the deaths of Mr Gilbert William Arthur Duthie, AM, on 13 June 1998, a Member of this House for the Division of Wilmot from 1946 to 1975, and Mr Donald Newton Cameron, on 5 June 1998, a Senator for the State of South Australia from 1969 to 1978.

As a mark of respect to the memory of the deceased all Members present stood, in silence.

#### **11 QUESTIONS**

Questions without notice were asked.

**12 AUDITOR-GENERAL'S REPORT**

The Speaker presented the following paper:

Auditor-General Act—Auditor-General—Audit report No. 48 of 1997-98—  
Performance audit—Data management in the APS.

Ordered to be printed.

**13 PETITIONS**

The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr Albanese and Mr Lee, from 21 and 27 residents of New South Wales, respectively, praying that the privatisation of the New South Wales Adult Migrant English Service be reviewed.

Mr L. D. T. Ferguson, from 75 residents of New South Wales, in similar terms.

Mr Jenkins, from 15 residents of Victoria, and Ms Macklin, from 267 petitioners, respectively, praying that legislation that would impact upon existing quality, affordable childcare not be passed.

Mr Lieberman and Mr McDougall, from 28 and 1385 petitioners, respectively, praying that the proposed Sexuality Discrimination Bill be rejected.

Mr Albanese, from 115 residents of New South Wales, praying that nursing home care be available to all and that the family home be exempted from assets tests relating to payment for such care.

Mr Albanese, from 89 petitioners, praying that noise insulation be approved for certain dwellings in Marrickville deemed ineligible under the Sydney Aircraft Noise Insulation Program.

Mr Beddall, from 75 residents of Queensland, praying that higher education funding be restored to pre-1996 levels.

Mr Hicks, from 1556 petitioners, praying that radiotherapy services be established at Wagga Wagga and Albury-Wodonga.

Ms Jeanes, from 3044 residents of South Australia, praying that Commonwealth funded expenditure by past Prime Ministers be restricted to a maximum of \$1000 per week.

Mr Jenkins, from 15 residents of Victoria, praying that the decision to allow mining at Jabiluka be reversed.

Mr Jones, from 33 351 residents of Werribee, Vic., praying that the proposed construction and operation of a waste landfill facility at Wests Road, Werribee, be stopped.

Dr Lawrence, from 39 petitioners, praying that uranium mining at Jabiluka be stopped.

Mr McLachlan, from 28 petitioners, praying that no measures be taken to implement the Multilateral Agreement on Investment until a referendum has been held.

Mr Miles, from 11 petitioners, praying that everything possible be done to combat illicit drug use and trafficking in Australia.

Mr Mossfield, from 1630 residents of New South Wales, praying that no more airports be built in the Sydney Basin.

Mr Zammit, from 134 residents of New South Wales, praying that a commission of inquiry or judicial inquiry be established to investigate all aspects of the long term operating plan for Sydney (Kingsford-Smith) Airport including the part played by senior members of the Government.

Mr Zammit, from 47 petitioners, praying that a high profile anti-racism campaign be mounted.

Mr Zammit, from 45 petitioners, praying that the House ensure that the Pharmaceutical Benefits Scheme does not discriminate against those with the greatest incapacity to pay for prescription medicines.

Mr Zammit, from 39 petitioners, praying that nursing home care be equally available to all Australians on the basis of medical need alone.

Mr Zammit, from 30 petitioners, praying that post-secondary education be returned to a system which is fair and accessible for all Australians.

Mr Zammit, from 7 petitioners, praying that action be taken to end genetic engineering and prevent the patenting of life forms.

Mr Zammit, from 5 petitioners, praying that legislation to implement a proposed therapeutic goods advertising code be rejected.

Petitions received.

#### 14 ISRAEL

Mr Pyne, pursuant to notice, moved—That this House:

- (1) agrees that the friendship between the people of Australia and the people of Israel must continue to strengthen;
- (2) commends the achievements of the State of Israel during the past 50 years in its society, science, technology and culture;
- (3) acknowledges that, despite Israel's accomplishments over the last 50 years, their struggle for survival continues;
- (4) supports Israel's peace agreements with its neighbours; and
- (5) encourages the striving for full peace in the nations of the Middle East.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

#### 15 PUBLIC SECONDARY SCHOOL SYSTEM

Mr Sawford, pursuant to notice, moved—That this House calls on the Government to:

- (1) recognise that the largely single option of a comprehensive high school system in this country is inappropriate for a majority of students at a

secondary level and that this fact often leads to a perception that the public secondary school system does not meet the needs of parents and students; and

- (2) encourage through differential funding a range of types of public secondary schools that among others would include a re-evaluation of single sex and technical high schools.

Debate ensued.

The time allotted for private Members' business having expired, the debate was interrupted, and the resumption of the debate made an order of the day for the next sitting.

#### 16 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

Question—That grievances be noted—put and passed.

#### 17 MESSAGE FROM THE SENATE

A message from the Senate was reported returning the Financial Sector Reform (Amendments and Transitional Provisions) Bill 1998 and acquainting the House that the Senate does not insist upon its amendment No. 5 disagreed to by the House of Representatives—Message No. 509, 22 June 1998.

#### 18 MESSAGES FROM THE GOVERNOR-GENERAL—ASSENT TO BILLS

Messages from His Excellency the Governor-General were announced informing the House that His Excellency, in the name of Her Majesty, had assented to the following Bills:

4 June 1998—Message No. 280—

Ballast Water Research and Development Funding Levy Collection 1998.

Law Officers Amendment 1998.

Student and Youth Assistance Amendment 1998.

Taxation Laws (Technical Amendments) 1998.

17 June 1998—Message—

No. 281—

Australian Science, Technology and Engineering Council Repeal 1998.

Interstate Road Transport Amendment 1998.

Interstate Road Transport Charge Amendment 1998.

No. 282—

Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) 1998.

**19 MAIN COMMITTEE—DAY OF NEXT MEETING**

The Deputy Speaker reported that Thursday, 25 June 1998, at 9.40 a.m., had been fixed for the next meeting of the Main Committee.

**20 TAXATION LAWS AMENDMENT (LANDCARE AND WATER FACILITY TAX OFFSET) BILL 1998**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Scott (Minister for Veterans' Affairs), the Bill was read a third time.

**21 POSTPONEMENT OF ORDERS OF THE DAY**

Ordered—That orders of the day Nos. 3 to 8, government business, be postponed until a later hour this day.

**22 CUSTOMS TARIFF AMENDMENT BILL (NO. 2) 1998**

The order of the day having been read for the resumption of the debate on the question—That the Bill be now read a second time—

Debate resumed.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mr Truss (Minister for Customs and Consumer Affairs), the Bill was read a third time.

**23 CRIMES AMENDMENT (ENFORCEMENT OF FINES) BILL 1998**

The order of the day having been read for the second reading—Mr Williams (Minister representing the Minister for Justice) moved—That the Bill be now read a second time.

*Paper*

Mr Williams presented an explanatory memorandum to the Bill.

Debate ensued.

Question—put and passed—Bill read a second time.

Leave granted for third reading to be moved forthwith.

On the motion of Mrs Sullivan (Parliamentary Secretary to the Minister for Foreign Affairs), the Bill was read a third time.

**24 MESSAGES FROM THE SENATE**

Messages from the Senate, 22 June 1998, were reported returning the following Bills and acquainting the House that the Senate had agreed to the Bills as amended by the House at the request of the Senate:



Message—

No. 510—General Insurance Supervisory Levy Imposition 1998.

No. 511—Retirement Savings Account Providers Supervisory Levy Imposition 1998.

No. 512—Life Insurance Supervisory Levy Imposition 1998.

No. 513—Authorised Deposit-taking Institutions Supervisory Levy Imposition 1998.

## 25 ADJOURNMENT

Mrs Sullivan (Parliamentary Secretary to the Minister for Foreign Affairs) moved—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 11 p.m.—The Speaker adjourned the House until tomorrow at 2 p.m.

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## PAPERS

The following papers were deemed to have been presented on 22 June 1998:

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 1998 No. 12.

Charter of the United Nations Act—Regulations—Statutory Rules 1998 No. 123.

Civil Aviation Act—Civil Aviation Regulations—  
Exemptions 1998 Nos. CASA 20, CASA 21.  
Instruments 1998 Nos. CASA 202, CASA 204, CASA 207.

Commonwealth Authorities and Companies Act—Notices pursuant to section 45—

Maritime Industry Finance Company Limited.  
Sydney Airports Corporation Limited.

Corporations Act—Regulations—Statutory Rules 1998 No. 128.

Defence Act—Determinations under section 58B 1998 Nos. 21, 22, 23.

Export Market Development Grants Act—Determination 1998 No. 1/BDD.

Family Law Act—Regulations—Statutory Rules 1998 No. 121.

Financial Management and Accountability Act—  
Financial Management and Accountability Orders Amendment 10 June 1998.  
Regulations—Statutory Rules 1998 No. 122.

Health Insurance Act—Regulations—Statutory Rules 1998 No. 125.

Health Insurance Commission Act—Regulations—Statutory Rules 1998 No. 124.

*Income Tax Assessment Act 1936—*

Declaration 1998 Heritage Conservation Rebate (Recognised Heritage Register and Recognised Heritage Body) No. 1.

Notice under section 159UD—Heritage conservation rebate maximum approval limit 2 June 1998.

Regulations—Statutory Rules 1998 No. 129.

Life Insurance Act—Commissioner's Rules Nos. 31, 32.

Long Service Leave (Commonwealth Employees) Act—Regulations—Statutory Rules 1998 No. 130.

Native Title Act—Regulations—Statutory Rules 1998 No. 120.

Parliament Act—Parliamentary Zone—

Outline for the introduction of parking restrictions at East Block carpark.

Outline for the introduction of parking restrictions at West Block western car park access road.

Proposal to—

Construct an international flag display on the Lake Burley Griffin foreshore.

Erect identification signs and undertake minor roadworks in front of old Parliament House.

Primary Industries Levies and Charges Collection Act and National Residue Survey (Ratite Slaughter) Levy Act—Regulations—Statutory Rules 1998 No. 127.

Primary Industries Levies and Charges Collection Act, Live-stock Transactions Levy Act, Live-stock (Producers) Export Charges Act, National Residue Survey (Sheep, Lambs and Goats Transactions) Levy Act and National Residue Survey (Sheep, Lambs and Goats Export) Levy Act—Regulations—Statutory Rules 1998 No. 126.

Proclamation by His Excellency the Governor-General fixing 1 July 1998 as the date on which the *Australian Meat and Live-stock Industry Act 1997*, except Part 1, shall come into operation.

Public Service Act—Determinations 1998 Nos. SESROB 35, SESROB 36, SESROB 37, SESROB 38, SESROB 39, SESROB 40, SESROB 41, SESROB 42.

Radiocommunications Act—Determination 1998 Radiocommunications (Trading Rules for Spectrum Licences).

Safety, Rehabilitation and Compensation Act—Notices 1998 Nos. 3, 4.

Sales Tax Assessment Act—Rulings Nos. SST 10, SST 11.

Student and Youth Assistance Act—Regulations—Statutory Rules 1998 No. 132.

*Superannuation Act 1976*—Declaration—Statutory Rules 1998 No. 131.

Sydney Airport Curfew Act—Dispensation 1998 No. 4.

Sydney Airport Demand Management Act—Regulations—Statutory Rules 1998 No. 119.

Taxation Administration Act—Rulings Nos. TR 97/2 (addendum), TR 98/9.

*Telecommunications Act 1997*—Determination under section 51 1998 No. 1.

Termination Payments Tax Imposition Act—Determination No. SCD 98/4 (addendum).

Veterans' Entitlements Act—Instruments 1998 Nos. 37, 38.

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**ATTENDANCE**

All Members attended (at some time during the sitting) except Mrs Elson, Mr Jones, Mrs D. M. Kelly, Mr Lieberman, Mr McGauran and Mr Randall.

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**I. C. HARRIS**

Clerk of the House of Representatives